



# CITY OF LODI

## COUNCIL COMMUNICATION

**AGENDA TITLE:** Denial of Verified Claim(s) against the City of Lodi

**MEETING DATE:** September 5, 2001

**SUBMITTED BY:** Human Resources Director

**RECOMMENDED ACTION:** To approve by motion action, denial of the following verified claim(s) filed against the City of Lodi:

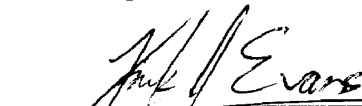
A) Dawn Raqueno for Jacob Albert Torres

Date of Loss: 02/12/01

**BACKGROUND INFORMATION:** Following review of verified claims filed against the City of Lodi, the City's contract administrator, Insurance Consulting Associates, Inc. (ICA) and Human Resources staff, recommend the City deny the subject claims.

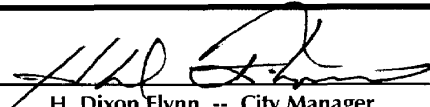
**FUNDING:** None Required.

Respectfully submitted,

  
for Joanne M. Narloch, Human Resources Director

cc: City Attorney

APPROVED: \_\_\_\_\_

  
H. Dixon Flynn -- City Manager

CITY COUNCIL

ALAN NAKANISHI, Mayor

PHILLIP A. PENNINO

Mayor Pro Tempore

SUSAN HITCHCOCK

EMILY HOWARD

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# CITY OF LODI

CITY HALL

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HUMAN RESOURCES: (209) 333-6704

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H. DIXON FLYNN

City Manager

SUSAN J. BLACKSTON

City Clerk

RANDALL A. HAYS

City Attorney

## Notice of Claim Rejection

September 6, 2001

Dawn Raqueno for Jacob Albert Torres  
701 A Street, #215  
Galt, CA 95632

RE: Claim against the City of Lodi

Claimant: Dawn Raqueno for Jacob Albert Torres  
Date of Loss: 02/12/01  
Our Claim Number: 699

Dear Claimant:

Notice is hereby given that the claim you presented to the City of Lodi on September 5, 2001 is rejected as of the date of this letter.

### Notice

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

Please also be advised that, pursuant to §128.7 and §1038 of the California Code of Civil Procedure, the City will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Sincerely,



Susan J. Blackston  
City Clerk

cc: City Attorney  
Risk Manager  
Linda Vanderbur, ICA